Attorney's Docket No.: 06975-130001 / Communications 35





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Barry Appelman

Art Unit : 2174

Serial No.: 09/848,231

Examiner: Peng Ke

Filed

: May 4, 2001

Title

: PRESENCE STATUS INDICATOR

MAIL STOP AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

NOTICE OF APPEAL

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the action dated May 5, 2005, finally rejecting claims 1-80.

A petition for an extension of time under 37 CFR §1.136 to extend the time to respond to the final rejection for 1 month to and including September 6, 2005 is enclosed.

A check in the amount of \$620 for the appeal fee and one-month extension of time is enclosed. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: September 6, 2005

Matthew T. Shanley

Reg. No. 47,074

Fish & Richardson P.C.

1425 K Street, N.W.

11th Floor

Washington, DC 20005-3500

Telephone: (202) 783-5070

Facsimile: (202) 783-2331

40300176.doc